

Court of Appeals, Division One**Civil Appeal****1 CA-CV 15-0620****CANTEX v. GILES ENGINEERING****Appellate Case Information**

Case Filed: 17-Sep-2015

Case Closed:

Dept/Composition

Consolidated with:

1 CA-CV 15-0631

Side 1. CANTEX INC., a Delaware corporation, Plaintiff/Appellee**(Litigant Group) CANTEX INC**● **Cantex Inc****Attorneys for: Plaintiff/Appellee**

George I Brandon, Esq. (AZ Bar No. 17947)

Donald A Wall, Esq. (AZ Bar No. 7522)

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Side 2. GILES ENGINEERING ASSOCIATES, INC., Appellant**(Litigant Group) GILES ENGINEERING**● **Giles Engineering Associates Inc, Third-Party Defendant****Attorneys for: Third Party Defendant/Appellant**

Thomas H Crouch, Esq. (AZ Bar No. 20134)

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CASE STATUS

Dec 19, 2016....At Issue

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MOH S8015CV201201247	Breach of Construction Contract		Lee Frank Jantzen, Authoring Judge of Order		

41 PROCEEDING ENTRIES

1.	17-Sep-2015	FILED: Index of Record, Notice of Appeal from Mohave County Superior Court filed 09/11/15			
2.	17-Sep-2015	FILED: e-Record on Appeal: Instruments/Minute Entries			
3.	21-Sep-2015	FILED: Notice to Parties re: Appellant's Fee/Case Management Statement/Brief Due			
4.	5-Oct-2015	FILED: Appellant's, Giles Engineering Associated Inc.'s Notice of Deposit of Filing Fee; Appellant's Certificate of Service (Appellant)			
5.	5-Oct-2015	FILED: Appellant's Notice of Appearance; Appellant's Certificate of Service (Appellant)			
6.	7-Oct-2015	RECEIPT No.: 2015-01394 ; \$280.00, Authorization: #79017543810, Applied to: GILES ENGINEERING - Class A Filing Fee (\$280.00) Paid for: Meagher & Geer PLLP - By Integrated Resource Systems IN			
7.	9-Oct-2015	FILED: Appellee's Notice re: Appellee's Fee/Appellant's Brief Due			
8.	13-Oct-2015	FILED: Appellant's Case Management Statement; Judgment filed 8/19/15			
9.	23-Oct-2015	FILED: Cantex Inc.'s Notice of Payment of Filing Fee; Certificate of Service (Appellee)			
10.	28-Oct-2015	RECEIPT No.: 2015-01500 ; \$140.00, Authorization: #00019813288, Applied to: CANTEX INC - Class B Filing Fee (\$140.00) Paid for: Squire Patton Boggs (US) LLP - By Integrated Resource Systems			
11.	11-Nov-2015	FILED: Joint Motion for Procedural Order To Consolidate And Stay Appeal; Certification of Service; Exhibit 1; Exhibit 2 (Appellant)			

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12. 16-Nov-2015 ORDERED: Joint Motion for Procedural Order To Consolidate And Stay Appeal (Appellant) = GRANTED and consolidating case 1 CA-CV 15-0620 with 1 CA-CV 15-0631. Case No. 1 CA-CV 15-0620 is designated primary number. FURTHER ORDERED: Continuing stay of this consolidated appeal and retesting Mohave Superior Court to consider and rule on both motions for trial. FURTHER ORDERED: Within 10 days after superior court rules on motions, appellant shall file a notice w/ this court with rulings attached. FURTHER ORDERED: If a party wishes rulings on motions to be reviewed in this appeal, that party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: Directing appellant to file written notice with court of status of both motions for new trial on/before 11/30/15. FURTHER ORDERED: Vacating 11/20/15 due date for opening brief in 1 CA-CV 15-0620. court will set a due date for consolidated opening brief after superior court rules on motions for new trial. Melina Brill ProTem Judge - Author
13. 30-Nov-2015 FILED: Notice of Status and Ruling On Motions For New Trial; Certificate of Service (Appellant)
14. 22-Dec-2015 ORDERED: Notice of Status and Ruling On Motions For New Trial (Appellant) = GRANTED. FURTHER ORDERED: Continuing stay of this appeal for purpose of permitting Mohave County Superior Court to finalize rulings on motions for new trial and hold a trial on attorneys' fees issue. FURTHER ORDERED: Within 10 days after superior court enters ruling on motions and/or enters a ruling on attorneys' fees issue, appellant shall file a notice w/ this court w/ rulings attached. FURTHER ORDERED: If a party wishes rulings on motions to be reviewed in this appeal, party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: Directing appellant to file written notice w/ this court of status of motions and trial on/before 3/4/16. Melina Brill ProTem Judge - Author
15. 9-Feb-2016 FILED: Notice of Status and Renewed Request For Continuance; Certificate of Service; 2-05-16 Superior Court Order/ Mohave County (Appellant)
16. 26-Feb-2016 ORDERED: Granting Appellant's Renewed Request for Continuance. FURTHER ORDERED: Continuing the stay of this appeal for the purpose of permitting the Superior Court to finalize the rulings on the motions for new trial and attorneys' fees issue. FURTHER ORDERED: within 10 days after the superior court enters a signed ruling on the motions for new trial and attorneys' fees issue, appellant shall file a notice with this court with the rulings attached. FURTHER ORDERED: if a party wishes the rulings on the motions to be reviewed in this appeal, that party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: directing appellant to file written notice with this court of the status of the motions and the trial on or before 3/28/16. Barbara Vidal Vaught ProTem Judge - Author
17. 25-Mar-2016 FILED: Notice of Status and Renewed Request For Continuance; Certificate of Service (Appellant)
18. 15-Apr-2016 ORDERED: Notice of Status and Renewed Request For Continuance (Appellant) = GRANTED. FURTHER ORDERED: Continuing stay of this appeal for purpose of permitting Mohave Superior Court to finalize rulings on motions for new trial and attorneys' fees issue. FURTHER ORDERED: Within 10 days after superior court enters a signed ruling on motions for new trial and attorneys' fees issue, appellant shall file a notice with this court w/ rulings attached. FURTHER ORDERED: If a party wishes rulings on motions to be reviewed in this appeal, party must file a timely notice of appeal or amended notice of appeal. FURTHER ORDERED: Directing appellant to file written notice with this court of status of motions and trial on/before 5/18/16. Barbara Vidal Vaught ProTem Judge - Author
19. 18-May-2016 FILED: Notice of Status and Renewed Request For Continuance; Certificate of Service; Exhibit A; Exhibit B (Appellant)
20. 23-May-2016 FILED: Courtesy Copy - Order filed in Mohave County Superior Court on 05/18/2016 re: Attorney's fees and costs
21. 23-May-2016 ORDERED: Notice of Status and Renewed Request For Continuance (Appellant) = GRANTED. FURTHER ORDERED: Continuing stay for purpose of permitting that court to consider/rule on motions for new trial and attorneys' fees. FURTHER ORDERED: Appellant shall file notice with ruling attached ten days after superior court enters signed ruling. FURTHER ORDERED: If party wishes ruling reviewed, must file timely amended notice of appeal. FURTHER ORDERED: Appellant notice of motions status due 06/17/2016. Melina Brill ProTem Judge - Author
22. 2-Jun-2016 FILED: Notice of Status and Signed Orders; Certificate of Service; Exhibit 1; Exhibit 2 (Appellant)
23. 7-Jun-2016 ORDERED: Reinstating appeal. FURTHER ORDERED: Opening Brief due 07/18/2016. Melina Brill ProTem Judge - Author
24. 10-Jun-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record (including Amended Notice of Appeal filed on 6/3/16)
25. 29-Jun-2016 FILED: Motion For Procedural Order Extension Of Time To File Appellants Opening Brief; Certificate of Service (Appellant)
26. 30-Jun-2016 ORDERED: Motion For Procedural Order Extension Of Time To File Appellants Opening Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 07-18-2016 to Wednesday, 08-17-2016. Melina Brill ProTem Judge - Author

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27.	17-Aug-2016	FILED: Appellant's Opening Brief; Certificate of Compliance; Certification of Service (Appellant)
28.	17-Aug-2016	FILED: Appendix for Appellant's Opening Brief (Appellant)
29.	8-Sep-2016	FILED: Motion For Procedural Order To Extend Deadline To File Answering Brief; Certificate of Service (Appellee)
30.	9-Sep-2016	ORDERED: Motion For Procedural Order To Extend Deadline To File Answering Brief (Appellee) = GRANTED. Due date EXTENDED from Monday, 10-03-2016 to Wednesday, 11-02-2016. Melina Brill ProTem Judge - Author
31.	2-Nov-2016	FILED: Answering Brief of Plaintiff/Appellee Cantex Inc.; Certificate of Compliance; Certificate of Service (Appellee)
32.	14-Nov-2016	FILED: Motion For Procedural Order Extension Of Time To File Appellants Reply Brief; Certification of Service (Appellant)
33.	15-Nov-2016	ORDERED: Motion For Procedural Order Extension Of Time To File Appellants Reply Brief (Appellant) = GRANTED. Due date EXTENDED from Monday, 11-28-2016 to Monday, 12-19-2016. Melina Brill ProTem Judge - Author
34.	6-Dec-2016	FILED: Motion For Procedural Order To Include Transcript Of Attorney Fee Hearing In The Record On Appeal; Certification of Service (Appellant)
35.	8-Dec-2016	ORDERED: Motion For Procedural Order To Include Transcript Of Attorney Fee Hearing In The Record On Appeal (Appellant) = GRANTED/supplementing the record on appeal with the certified transcript of the 01/29/2016 proceeding, which is included in the appendix to the opening brief. Melina Brill ProTem Judge - Author
36.	19-Dec-2016	FILED: Appellant's Reply Brief; Certificate of Compliance; Certification of Service (Appellant)
37.	20-Dec-2016	FILED: Appellants Request For Oral Argument; Certificate of Service (Appellant)
38.	4-Jan-2017	FILED: Cantex's Request for Oral Argument; Certificate of Service (Appellee)
39.	5-Jan-2017	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
40.	10-Jan-2017	ORDERED: Request for Oral Argument = GRANTED. Oral argument will be scheduled in the normal course of the court's civil appeals calendar, and the court will notify counsel of the date. Hon Michael J Brown - Author
41.	19-Jan-2017	FILED: Supplemented Superior Court e-Record with Revised Index of Record